

...Court Law Enforcement Services for service of the Summons, Petition and Order and Notice of Rescheduled hearing; and WHEREAS, in the Order it states that the other, Tracie Delorme, appears to indicate she was aware of the hearing, no actual service of the Summons and Petition have been accomplished upon her. This lack of contact with the custodian of her children, and the juvenile Court, has necessitated the continuance of the Petition on a prior occasion. The Court again attempted service on Tracie Delorme at several locations in multiple counties and the results have been unsuccessful. The Court elected to conduct a provisional hearing upon the allegations of the Petition and will enter an interlocutory order of disposition and proceed with service by publication; and

WHEREFORE, IT IS HEREBY ORDERED: You and each of you are hereby summoned and required to appear personally on the 2nd day of August, 2009, at 9:00 a.m., before Honorable S. Portscheller, Judicial Referee, in the Ward County Courthouse located in Minot, North Dakota, for the purpose of a review hearing.

Dated this 25th day of June, 2009.  
/Connie S. Portscheller  
Connie S. Portscheller  
Judicial Referee  
7/10, 17, 24 - 2981

#### NOTICE OF SALE

YOU ARE HERIN NOTIFIED that Wind River Properties, d/b/a Windsor Storage, 439 Memorial Highway, Mandan, North Dakota, will conduct a public auction of abandoned personal property in unit #211 and #224 on the 31st day of July, 2009 at 1:00 o'clock P.M. The sale shall occur at 439 Memorial Highway, Mandan, North Dakota. Terms of sale: Cash or pre-approved personal check. Questions should be directed to Wind River Properties, d/b/a Windsor Storage, 439 Memorial Highway, Mandan, North Dakota 58554 (701-663-2600).

WIND RIVER PROPERTIES  
Y Louise Wachter, Agent  
7/17 & 24 - 2998

#### NOTICE OF EXECUTION SALE

NOTICE IS HEREBY GIVEN, that by virtue of a judgment and decree of foreclosure rendered and given in the District Court and for the County of Morton, North Dakota, South Central Judicial District, entered and docketed in the Office of the Clerk of said Court on June 9, 2009, in an action wherein The Industrial Commission of North Dakota, acting in its capacity as Mandan, North Dakota Housing Finance Agency as Plaintiff and Ricky Hugh Anderson and James R. Linger, as joint tenants and not as tenants in common, and the State of North Dakota acting through the Office of the State Tax Commissioner, were Defendants; that on which day it was adjudged that there was as due and owing the Plaintiff from the defendant Ricky Hugh Anderson, a single person, together with costs and disbursements of said action, the sum of \$157,525.56, and by virtue of a Writ of Special Execution issued to me by the Clerk of said Court, I will sell the real property described in said judgment and hereafter described to the highest bidder for cash at public auction at the front door of the Courthouse in the City of Mandan, County of Morton, North Dakota, on the 11th day of August, 2009, at the hour of 1:30 o'clock p.m. of that day to satisfy the amount due with accrued costs and interest at the date of sale, or so much thereof as the proceeds of said sale applicable thereto will satisfy.

The premises to be sold as aforesaid are situated in the County of Morton, State of North Dakota, and are more particularly described as follows:

LOT NINE (9), BLOCK THREE (3), RIPPERS SECOND SUBDIVISION TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA.

(Street Address: 1812 12th Ave. SE, Mandan, ND 58554).

dated at Mandan, North Dakota, this 2nd day of July, 2009.

/Dave Shipman,  
County, N.D.  
Deputy Sheriff  
Ian M. McDonagh  
Special Assistant Attorney General  
Attorney for Plaintiff  
702 17th Ave. S.  
Mandan, ND 58201  
ND ID# 05502  
7/17, 24, 31 - 2997

#### NOTICE OF PUBLIC HEARING OF THE MORTON COUNTY PLANNING & ZONING COMMISSION

Notice is hereby given that the Planning & Zoning Commission of Morton County, North Dakota, has received the following requests:

Re-plat of Lot 1, Block 1 of Harmon Village 10th Subdivision requested by Randolph Feil Part of Section 7, Township 140 North, Range 81 West. The property is located about eight (8) miles north of Mandan on North Dakota Highway 1806.

Single lot subdivision called Gustin Acres Addition requested by Lynn and Cindy Gustin for a 5.76 acre tract located in the NE 1/4 of SE 1/4 of Section 4, Township 137 North, Range 81 West, with a zone change from "A" Agricultural to "R" Residential. The property is located seven (7) miles south of Mandan on North Dakota Highway 6.

Minnesota Power application for a Special Use permit for 76 MW Utility Scale Wind Farm. Known as part of the Bison I Wind project with 17, 23 MW Wind Turbines to be located in Sections 2, 3, 4, 5, 8, 9, 10, 11, 15, 16, 17 and 20, Township 140 North, Range 86 West in Morton County.

Northern Lights Dairy has applied for a Conditional Use Permit to expand to 1,999 animal units CAFO with their Dairy Operations and Dairy Heifer Feeding Operations. Location is in SW 1/4 of Section 13, Township 137 North, Range 81 West. The property is located eight (8) miles south of Mandan and one-half (1/2) mile west on North Dakota Highway 6.

All three Wireless is applying for Special Use Permit for antenna and building at the existing Verizon Tower Site located in NE 1/4 of Section 13, Township 139 North, Range 84 West. Property is located thirteen (13) miles west of Mandan along 194.

Please further notice that the Planning and Zoning Commission of said County shall meet in the Commission Room at the Morton County Courthouse in Mandan on Thursday, July 30, 2009 at 5:30 p.m. to con-

#### SUMMONS

THE STATE OF NORTH DAKOTA TO THE ABOVE NAMED DEFENDANTS: You are hereby summoned to appear and defend against the Complaint in this action, which has been filed with the Clerk of Court or is herewith served upon you, by serving upon the undersigned a copy of an answer or other proper response within twenty (20) days after the service of this Summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint. The original Complaint is filed with the Clerk of the District Court in the County in which this action is commenced.

This action relates to the foreclosure of a mortgage upon the following described real property in the County of Morton, State of North Dakota:

Lot Seven (7), Block Seven (7), original Town, now City of New Salem, Morton County, North Dakota, a/k/a 308 8th Street North, New Salem, ND 58563.

The Plaintiff is not seeking a personal judgment against the above-named Defendants.

Dated July 6, 2009.

MACKOFF KELLOGG LAW FIRM

Attorneys for the Plaintiff

Office and Post Office Address:

38 Second Avenue East

Dickinson, North Dakota 58601

Tel: (701) 227-1841

Fax: (701) 225-6878

By: /s/Sandra K. Kuntz

Sandra K. Kuntz, Attorney #05186

THIS IS AN ATTEMPT TO COLLECT THE REFERENCED DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. THIS COMMUNICATION IS FROM A DEBT COLLECTOR

7/17, 24, 31 - 2996

#### NOTICE OF PUBLIC HEARING BOARD OF CITY COMMISSIONERS CITY OF MANDAN, NORTH DAKOTA

NOTICE IS HEREBY Given that the Board of City Commissioners of Mandan, North Dakota has received the following:

A request from Montana-Dakota Utilities to vacate a utility easement described as follows:

All of that 10' wide platted utility easement located on the East 170' of the West 200' of Lot 1, Block 1 Lakewood Commercial Park Third Addition to the City of Mandan, lying in the NW 1/4, Section 6, T138N, R80W of the 5th Principal Meridian, City of Mandan, Morton County, North Dakota. Said tract of land more fully described as follows:

Beginning at the southwest corner of Lot 1, Block 1, said Lakewood Commercial Park Third Addition; thence N89d21°8'E a distance of 30.00 feet to the true point of beginning; thence N89d21°8'E a distance of 170.00 feet; thence N00d37°14'W a distance of 10.00 feet; thence S89d22°46'W a distance of 170.00 feet; thence S00d37°14'W a distance of 10.00 feet to the true point of beginning.

Take Further Notice That the Board of City Commissioners of the City of Mandan shall meet at the Mandan City Hall on Tuesday, August 18, 2009 at 5:30 p.m. to consider said matter at which time and place any person may appear to be heard thereon. A copy of said proposal is on file at the Mandan Auditors Office, available for review during regular office hours from 8:00 a.m. to 5:00 p.m.

James Neubauer  
City Auditor  
7/17, 24, 31 & 8/7 - 2994

#### STATE OF NORTH DAKOTA COUNTRY OF MORTON IN JUVENILE COURT SOUTH CENTRAL JUDICIAL DISTRICT IN THE INTEREST OF J.G., A CHILD

Kari Bitz,

Petitioner,

vs.

J.G., Child

Anne Galusha, Mother;

Jerry Galusha, Father;

Respondents.

File No.30-08-R-0150

30-08-R-0129

#### NOTICE OF MOTION

THE STATE OF NORTH DAKOTA TO THE ABOVE-NAMED RESPONDENTS:

Notice is hereby given that the Petitioner will bring a Motion for Permanency Hearing for hearing on the 13th day of August, 2009, at 9:00 o'clock a.m., or as soon thereafter as counsel can be heard, in the juvenile courtroom, Morton County Courthouse, 210 2nd Avenue N.W., Mandan, North Dakota.

Dated this 10th day of July, 2009.

/s/Allen Kopp

Allen Kopp

Morton County State's Attorney

210 2nd Avenue NW

Mandan, ND 58554

7/17, 24, 31 - 2992

#### NOTICE OF COUNTY TAX EQUALIZATION MEETING

The board of Morton County Commissioners will hold the Morton County Tax Equalization Meeting on July 27, 2009 at 5:30 PM. in the Morton County Commission Room, Morton County Courthouse, 210 2nd Ave NW, Mandan ND. The Commissioners will hear petition for correction of 2009 assessments of property in Cities, Townships, and the County at this time.

By Order Of

Morton County Board of Commissioners

Paul E. Trauger

Morton County Auditor

June 29, 2009

7/17, 24 - 2989

#### NOTICE OF SALE

Civil No. 30-09-C-00192

Notice is hereby given that by virtue of a judgment of foreclosure by the District Court of the South Central Judicial District in and for the County of Morton and State of North Dakota, and entered and docketed in the Office of the Clerk of said Court on June 22, 2009, in an action wherein Wells Fargo Bank, N.A., successor by merger to Wells Fargo Home Mortgage, Inc. was Plaintiff and Jennifer J. Makelly; Richard M. Makelly; Discover Bank; CitiBank (SD) NA; and any person in possession were Defendants, in favor of Plaintiff and against the Defendants for the sum of \$93,845.89, which judgment and decree, among other things, direct the sale by me of the real property hereinafter described, to satisfy the amount of said judgment, with interest thereon and the costs and expenses of such

/s/Dave Shipman

Dave Shipman

Sheriff of Morton County, North Dakota

By: Bradley J. Pratt

Bradley J. Pratt

STATE OF NORTH DAKOTA

County of Morton

On this 9th day of July, 2009, before, me, a Notary Public in and for said County and State, personally appeared Bradley J. Pratt known to me to be the person who is described in, and whose name is subscribed to this instrument.

/s/Toni Snider

Toni Snider

Notary Public

Morton County, North Dakota

My Commission expires: 8/31/11 (Seal)

MACKOFF KELLOGG LAW FIRM

P.O. Box 1097

Dickinson, ND 58602-1097

Attorneys for Plaintiff

(Published: 7/17/09; 7/24/09; 7/31/09)

7/17, 24, 31 - 2990

#### SECTION 00100

##### ADVERTISEMENT FOR BIDS

TEU-1-988(023)034

##### MANDAN PARKS & RECREATION

##### MANDAN, NORTH DAKOTA

Sealed bids will be received by the Mandan Parks & Recreation of Mandan, North Dakota, at the office of the Mandan Parks and Recreation, 901 Division Street, until 2:00, August 7, 2009, at which time they will publicly opened and read aloud for the furnishing of materials, labor, equipment and skill required for the construction of Old Red Trail Use Path, Phase III and incidental items in and for said Mandan Parks & Recreation, as is more fully described and set forth in the plans and specifications therein, which are now on file in the office of the Kadmas, Lee & Jackson, Inc.

Bids shall be upon cash payment on the following estimated quantities and types of work:

2,200 CY Topsoil Removal, 2,091 CY Borrow, 1,238 Tons Cl. 5 Aggregate Base Course, 815 Tons Hot Bituminous Pavement Cl. 27, 2,826 LF Silt Fence, 3.5 AC Seeding, and other miscellaneous items.

Complete digital project bidding documents are available at [www.kljeng.com](http://www.kljeng.com) "Client Zone" or [www.questcdn.com](http://www.questcdn.com). You may download the digital plan documents for \$27.00 by inputting Quest project # 952560 on the website's Project Search page. Please contact QuestCDN at (952) 233-1632 or info@questcdn.com for assistance in free membership registration, downloading, and working with this digital project information. An optional paper set of project documents is also available for a non-refundable price of \$90.00 per set at Kadmas, Lee & Jackson, Inc. Please contact us at if you have any questions.

All bids are to be submitted on the basis of cash payment for the work and materials, and each bid shall be accompanied by a separate envelope containing the contractor's license and bid security. The bid security must be in a sum equal to five per cent (5%) of the full amount of the bid and must be in the form of a bidder's bond. A bidder's bond must be executed by the bidder as principal and by a surety company authorized to do business in this state, conditioned that if the principal's bid be accepted and the contract awarded to the principal, the principal, within ten (10) days after notice of award, will execute and effect a contract in accordance with the terms of his bid and the bid bond as required by the laws of the State of North Dakota and the regulations and determinations of the governing body. If a successful bidder does not execute a contract within ten (10) days allowed, the bidder's bond must be forfeited to the governing body and the project awarded to the next lowest responsible bidder.

All bidders, except a bidder on a municipal, rural, and industrial water supply project using funds provided under Public Law No. 99-294 [100 Stat. 426, 43 U.S.C. 390a], must be licensed for the full amount of the bid as required by Section 430705 and 43-07-12 of the North Dakota Century Code. For projects using funds provided under Public Law No. 99-294 [100 Stat. 426, 43 U.S.C. 390a], the Bidder shall obtain a contractor's license for the full amount of its Bid within twenty days after it is determined the Bidder is the lowest responsible Bidder. Should the Bidder fail to obtain the license within the specified period the Bid will be rejected and awarded to the next lowest responsible Bidder.

The successful Bidder will be required to furnish Contract Performance and Payment Bonds in the full amount of the contract. Contracts shall be awarded on the basis of the low bid submitted by a responsible and responsive bidder for the aggregate sum of all bid items will be awarded for the work. All bids will be contained in a sealed envelope, as above provided; plainly marked showing that such envelope contains a bid for the above project. In addition, the bidder shall place upon the exterior of such envelope the following information:

1. The work covered by the bidder

2. The name of the bidder

3. Separate envelope containing bid bond and a copy of Contractor's License or Renewal Certificate.

4. Acknowledgement of the Addenda.

No Bid will be read or considered which does not fully comply with the above provisions as to Bond and licenses and any deficient Bid submitted will be resealed and returned to the Bidder immediately.

The work on the improvement will be completed by October 24th, 2009

The Owner reserves the right to reject any and all bids to waive any informality in any bid, to hold all bids for a period not to exceed days from the date of opening bids, and to accept the bid deemed most favorable to the interest of the Owner.

Should the Contractor fail to complete the work within the time required herein or within such extra time as may have been granted by formal extensions of time approved by the Owner, there will be deducted from any amount due the Contractor the sum of \$500 per day and every day that the completion of the work is delayed. The Contractor and his surety will be liable for any excess. Such payment will be as and for liquidated damages.

Dated this 9th day of July, 2009

MANDAN PARKS & RECREATION

MANDAN, NORTH DAKOTA

/s/Cole Higlin

Cole Higlin

Director of Parks

the Register of Deeds of the County of Morton and State of North Dakota, on the 13th day of September 1995, at 11:26 o'clock A.M. as Document No. 336629; which mortgage will be assigned to Lehman Brothers Bank, FSB by an Assignment of Mortgage, and which mortgage is being serviced by Wells Fargo Home Mortgage, and given to secure the payment of \$40,350.00, and interest according to the conditions of a certain promissory note, is in default.

#### NOTICE

Pursuant to the provisions of the Federal Fair Debt Collection Practices Act, you are advised that unless you dispute the validity of the foregoing debt or any portion thereof within thirty days after receipt of this letter, we will assume the debt to be valid. On the other hand, if the debt or any portion thereof is disputed, we will obtain verification of the debt and will mail you a copy of such verification. You are also advised that upon your request within the thirty day period, we will provide you with the name and address of your original creditor; if different from the creditor referred to in this Notice. We are attempting to collect a debt and any information obtained will be used for that purpose. At this time, no attorney with this firm has personally reviewed the particular circumstances of your account. However, if you fail to contact our office, our client may consider additional remedies to recover the balance due.

The following is a statement of the sum due for principal, interest, taxes, insurance, maintenance, etc. as of August 3, 2009:

Principal .....\$32,085.64

Recent Escrow Paid:.....-197.66

Accrued interest to August 3, 2009, 1,497.30

Late Charges .....60.00

Recording Fees .....10.00

Pro Rata MIP/PMI .....39.78

Property Inspection .....45.00

Pending Hazard Insurance .....1,108.00

TOTAL .....\$34,666.06

That as of August 3, 2009, the amount due to cure any default, or to be due under the terms of the mortgage, exists in the following respects:

Accumulated Payments Owning.....\$3,293.40

Principal & Interest:

6 months @ \$296.08 = \$1,776.48

County Taxes:

4 months @ \$129.19 = \$516.76

2 months @ \$137.29 = \$274.58

PMI/MIP:

4 months @ \$13.63 = \$54.52

2 months @ \$13.26 = \$26.52

Hazard Insurance:

4 months @ \$90.00 = \$360.00

2 months @ \$92.33 = \$184.66

Shortage/Overage:

4 months @ \$17.27 = \$69.08

2 months @ \$15.40 = \$30.80

Late Charges .....75.00

Credit .....60.00

TOTAL .....\$3,308.40

all of which must be paid BY CERTIFIED FUNDS, MADE PAYABLE TO WELLS FARGO HOME MORTGAGE and mailed to the undersigned attorney to cure the default, plus any accrued interest, subsequent payments or late charges which become due and any further expenses for preservation of the property which may be advanced. PLEASE CONTACT THE UNDERSIGNED FOR THE EXACT AMOUNT DUE THROUGH A CERTAIN DATE.

You have the right, in accordance with the terms of the mortgage, to cure the default specified above. You also have the right to assert in the foreclosure action that no default exists or any other defense you may have to said action.

Notice is further given that if the total sums in default, together with interest accrued thereon at the time of such payment, accrued payments then due and expenses advanced, are not paid within thirty (30) days from the date of mailing or service of this Notice, the Mortgagee will deem the whole sum secured by the mortgage to be due and payable in full without further notice. Furthermore, proceedings will be commenced to foreclose such mortgage, and in the event of Sheriff's sale as provided by the laws of the State of North Dakota, the time for redemption shall be as provided by law, but not less than sixty (60) days after the Sheriff's Sale.

Dated July 8, 2009.

MACKOFF KELLOGG LAW FIRM

Attorneys for the Plaintiff

Office and Post Office Address:

38 Second Avenue East

Dickinson, North Dakota 58601

Tel: (701)227-1841

Fax: (701) 225-6878

By: /s/Sandra K. Kuntz

Sandra K. Kuntz, Attorney #05186

If you have previously received a discharge in a Chapter 7 bankruptcy, this is not an attempt to collect a debt against you personally, but only an attempt to determine your intention concerning retaining this property.

7/17, 24, 31 - 2993

#### STATE OF NORTH DAKOTA COUNTRY OF MORTON, IN THE DISTRICT COURT

In the Matter of the Estate of Lucy V. Rebenitsch, Deceased.

Probate No. 09-P-55

#### NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above estate. All persons having claims against the deceased are required to present their claims within three months after the date of the first publication or mailing of this notice or the claims will be forever barred. Claims must either be presented to Ronald L. Rebenitsch, personal representative of the estate, at 213 Toronto Loop, Bismarck, ND or filed with the Court.

Dated this 13th day of July, 2009,

/s/ Ronald L. Rebenitsch

Ronald L. Rebenitsch

Personal Representative

213 Toronto Loop

Bismarck, ND 58503

First publication on the 15th day of July, 2009

7/17, 24, 31 - 2999

#### NOTICE OF LAPSE OF MINERAL INTEREST

Dale Rebenitsch and Audrey Rebenitsch, whose post office address is:

915 County Road 135, Fort Rice, ND 58554, are the owners of the surface and a portion of the mineral interests in all oil, gas and other minerals in, on and underlying the following described real property located in Morton County, North Dakota: Township 135 North, Range 79 West Section 9; NE1/4

Township 135 North, Range 80 West

Rosella Muhlhauser

(Address Unknown)

Fred J. Heck

(Address Unknown)

Duane Heck

(Address Unknown)

Kenneth Heck

(Address Unknown)

Richard Heck

(Address Unknown)

George Heck

(Address Unknown)

Richard L. and Mary Bendish